

Amendments to the Drawings:

The attached replacement drawing sheets with Figs. 1-7B replaces the original sheets with Figs. 1-7B.

Attachment: Replacement Sheets

REMARKS

Claims 9-12 are pending in this application. By this Amendment, claim 12 is added and claims 9-11 are amended for clarity, consistency and to even more clearly distinguish over the applied references. The amendments reinstate some features of independent claim 9 that were considered previously in a prior Office Action.

The drawings are amended to replace facsimile-quality drawings with better quality drawings. No other changes have been made.

I. Claim Rejections under 35 U.S.C. §112

The Office Action rejects claims 9-11 under 35 U.S.C. §112, first and second paragraphs, with regard to the written description requirement and for being indefinite. By this Amendment, claim 9 has been amended for clarity and to address the written description requirement issue. It is respectfully requested that the rejections be withdrawn.

II. Claim Rejections under 35 U.S.C. §103

Claims 9-11 were rejected under 35 U.S.C. §103(a) over Chow et al. (U.S. Patent No. 6,427,087) in view of Ok et al. (U.S. Patent Publication No. 2002/0095193) and Tassicker (U.S. Patent No. 2,760,483). The rejection is respectfully traversed.

In the Notice of Allowance mailed July 8, 2005, in an Examiner's Statement of Reasons for Allowance, it was acknowledged that the references (which include Chow, Ok, and Tassicker) do not teach the positioning of a converter and electrode array that avoids implantation of the converter in or on an eye of a patient. By this Amendment, claim 9 has been amended to reinstate that feature. Accordingly, it is respectfully submitted that independent claim 9 is allowable, and that the rejection should be withdrawn. Likewise, new claim 12 similarly recites that a converter is positioned away from the patient's eye, and it is respectfully submitted that claim 12 is likewise allowable.

The applied references, alone or in combination, fail to disclose or suggest all of the features recited in independent claims 9 and 12. It is respectfully requested that the rejection be withdrawn.

Furthermore, Applicants maintain that Tassiker and Chow, individually or in combination, fail to disclose an apparatus of an intracorporeal image-pickup type which applies stimulation to a retina based on reception of light by a stimulator or photodetector placed in a patient's eye. An important point in such intracorporeal image-pickup type apparatus is a positional condition of the stimulator or photodetector in the patient's eye. Specifically, the stimulator or photodetector has to be placed in a position where it can receive light falling on the patient's eye. The choroid consists of blood vessels that pass throughout it and a pigmented tissue. Accordingly, it is medical common sense that the choroid hardly allows light to pass therethrough and, in view of this, if the asserted apparatus combining Tassiker and Chow is placed outside a choroid that hardly allows light to pass therethrough, it cannot apply stimulation to the cells constituting a retina.

With regard to Ok, the Ok apparatus is not arranged to apply electrical stimulation from an electrode array placed outside a choroid, and therefore does not meet the requirements of claim 9.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Steven W. Allis
Registration No. 50,532

JAO:SWA/jam

Attachments:

Replacement Drawings (Figs. 1-7B)
Petition for Extension of Time

Date: March 3, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--